

and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for the said article. Adulteration was alleged for the further reason that the article had been mixed in a manner whereby inferiority was concealed.

Misbranding was alleged for the reason that the article was an imitation of another article, namely, a product made from pineapple, orange, lemon, raspberry, plums, cherries, and strawberries, which it purported to be. Misbranding was alleged for the further reason that the statements, "Seven Fruits * * * 7 Fruits * * * Not Artificially Flavored. * * * Certificate of Quality This is to certify that the contents of this bottle contains only the purest and best ingredients obtainable. Beware of imitators * * * None Genuine without Signature of Julius Marcus," together with the pictorial design of various fruits, appearing on the label, were false and misleading in that the said statements and design represented that the article was a pure and genuine fruit product made exclusively from pineapple, orange, lemon, raspberries, strawberries, plums, and cherries, and was not artificially flavored; and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was a pure and genuine fruit product made exclusively from the said fruits and was not artificially flavored, whereas it was not, but was an imitation product, deficient in fruit juice and was artificially flavored.

On April 14, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18261. Adulteration and misbranding of canned turnip greens. U. S. v. 180 Cases, et al., of Turnip Greens. Product ordered released under bond to be reconditioned. (F. & D. No. 25879. I. S. Nos. 17428, 17430, 17431. S. No. 4139.)

Samples of canned turnip greens from the shipments herein described having been found to be decomposed, and the labels of portions thereof having been found to contain unwarranted health claims, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of Mississippi.

On or about February 11, 1931, the United States attorney filed in the District court for the district aforesaid a libel praying seizure and condemnation of 240 cases of canned turnip greens, remaining in the original unbroken packages at Jackson, Miss., alleging that the article had been shipped by the Pomona Products Co., from Griffin, Ga., in part on or about July 2, 1930, and in part on or about September 29, 1930, and had been transported from the State of Georgia into the State of Mississippi, and charging adulteration of all of the said product, and misbranding of portions thereof, in violation of the food and drugs act as amended. The article was labeled in part: (Cans) "Georgia Belle Brand Fancy Quality Turnip Greens * * * Packed by Pomona Products Co., Griffin, Ga." Portions of the article were further labeled: "Eat Greens to insure Good Health."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a decomposed or putrid vegetable substance.

Misbranding was alleged with respect to portions of the article for the reason that the statement appearing on the can label, "Eat Greens to Insure Good Health," was false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effect claimed.

On April 22, 1931, the Pomona Products Co., Griffin, Ga., claimant, having admitted the allegations of the libel and having paid costs and executed a bond in the sum of \$500, conditioned that the product should not be sold or otherwise disposed of contrary to the provisions of the Federal food and drugs act, a decree was entered ordering that the said product be released to the claimant to be relabeled and reconditioned subject to the supervision and inspection of this department. In carrying out the provisions of the decree the unfit portion of the product was destroyed.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18262. Adulteration of rabbits. U. S. v. 1 Barrel of Rabbits. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25878. I. S. No. 25375. S. No. 4131.)

Samples of rabbits from the shipment herein described having been found to be partially decomposed, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of Illinois.

On February 10, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 1 barrel of rabbits at Chicago, Ill., alleging that the article had been shipped by the Gifford Farm Club, from South Gifford, Mo., January 29, 1931, and had been transported from the State of Missouri into the State of Illinois, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed animal substance.

On April 14, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18263. Adulteration and misbranding of butter. U. S. v. 10 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 26399. I. S. No. 15233. S. No. 3712.)

Samples of butter from the shipment herein described having been found to contain less than 80 per cent of milk fat, the standard provided by act of Congress, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of Illinois.

On or about November 20, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 10 tubs of butter, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Whitehall Creamery Association, from Whitehall, Wis., November 5, 1930, and had been transported from the State of Wisconsin into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a substance deficient in butterfat had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for the said article. Adulteration was alleged for the further reason that the article was deficient in butterfat, in that it contained less than 80 per cent of butterfat.

Misbranding was alleged for the reason that the article was labeled butter, which was false and misleading in that it contained less than 80 per cent of milk fat.

On November 21, 1930, the Land O'Lakes Creameries (Inc.), Chicago, Ill., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant to be reworked under the supervision of this department, upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that it should not be sold or otherwise disposed of contrary to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18264. Adulteration and misbranding of butter. U. S. v. 20 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 26407. I. S. No. 14967. S. No. 3713.)

Samples of butter from the shipment herein described having been found to contain less than 80 per cent of milk fat, the standard provided by act of Congress, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of Illinois.

On November 25, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 20 tubs of butter, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Farmers Mutual Cooperative Creamery, from Fennimore, Wis., November 18, 1930, and had been transported from the State of Wisconsin into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a substance deficient in butterfat had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for the said article. Adulteration was alleged for the further reason that the article was deficient in butterfat, in that it contained less than 80 per cent of butterfat.